

## INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

To Commissioner For Patents

Enclosed herewith is a Form PTO-1449, any required copies of documents listed thereon, and any concise explanation of their relevance is indicated below per 37 CFR 1.97.

Application Number

Filing Date

First Named Inventor

Group Art Unit

Examiner Name

Attorney Docket Number

CONCURRENTLY

DECLAN P. KELLY

NL021444

☒ Please charge any required fee under § 1.17(i) or § 1.17(p) or any other required fee (except the issue fee) to Account No. 14-1270.

1. ☐ I certify that these documents were first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three (3) months ago.
2. ☐ I certify that none of these documents were cited in any communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, none of these documents was known to any individual designated in § 1.56(c) more than three (3) months ago.

☐ Applicant hereby petitions under § 1.97(d) that this IDS be considered after final Action or Notice of Allowance, pays the fee under § 1.17(p) as indicated below, and I certify 1. or 2. as indicated above.

☐ A fee under § 1.17(p) is not required under § 1.97(c), after the first Action on the merits and more than (3) months after the date of application or RCE, because I certify 1. or 2. as indicated above.

☐ A copy of the citations is not required because they were previously submitted or cited in the parent application (or in U.S. patent application Ser. No. \_\_\_\_\_ Filing Date \_\_\_\_\_ relied on for an earlier effective filing date under 35 U.S.C. 120).

☐ A copy of the U.S. patent(s) and patent application publication(s) in all U.S. national patent applications filed after June 30, 2003, and in all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003 under 37 CFR 1.491(b), are not required.

☐ A concise explanation of the relevance of each non-English document, as understood by the individual designated in § 1.56(c) most knowledgeable about the contents, is enclosed per § 1.98(a)(3).

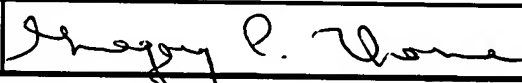
The concise explanation of the relevance of any non-English document, as understood by the individual designated in § 1.56(c) most knowledgeable about the contents, is that the document is/was:

☒ cited in the specification or considered in drafting the specification of this application;

☐ previously submitted or cited in the parent application (or in a related patent application Ser. No. \_\_\_\_\_ filing date \_\_\_\_\_).

☒ cited as an "X" or "Y" document in a foreign Patent Office search report in a foreign counterpart application, a copy of which report is also enclosed.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	GREGORY L. THORNE	Registration No. (Attorney/Agent)	39,398
Signature		Date	6/9/05

Substitute for form 1449/PTO

*(Use as many sheets as necessary)*

Application Number	
Filing Date	CONCURRENTLY
First Named Inventor	DECLAN P. KELLY
Art Unit	
Examiner Name	
Attorney Docket Number	NL021444

Sheet	1	of	2
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
		WO 00/062564	10-19-2000	BLOW		
		EP 0443933 A1	08-28-1991	DESMEDT		
		EP 1107254 A	06-13-2001	KANEKO		
		WO 02/089111 A1	11-07-2002	OSHIYAMA		
		DE 19916846 A1	10-19-2000	CRULL		
		DE 19936720 A	02-15-2001	KRIETE		

Date  
Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Complete if Known**

Application Number	
Filing Date	CONCURRENTLY
First Named Inventor	DECLAN P. KELLY
Art Unit	
Examiner Name	
Attorney Docket Number	NL021444

Sheet	2	of	2
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## U. S. PATENT DOCUMENTS

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**FOREIGN PATENT DOCUMENTS**

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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	Footnote Footnote
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
		EP 1107254 A2	06-13-2001	KANEKO		

**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	
		Filing Date	CONCURRENTLY
		First Named Inventor	DECALN P. KELLY
		Art Unit	
		Examiner Name	
Sheet 1	of 1	Attorney Docket Number	NL021444

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Royal Philips Electronics press information entitled: "Philips Develops Technology for Small Form Factor Optical Storage", June 18, 2002	
		Philips Reseach document entitled, "Video Clip on Small Form Factor Optical Storage"	

Examiner Signature		Date Considered	
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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